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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/197,441 11/23/98 BEHAGEN

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WM01/1212

EXAMINER

GRANT, C

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 12/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/197,441

Applicant(s)
BEHAGEN et al.

Examiner
Christopher Grant

Group Art Unit
2611

☒ Responsive to communication(s) filed on Sep 29, 2000

☒ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-17 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2611

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5, 8, 9, 10-12 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yiu (6,008,777) and Phan (both of record).

Considering claim 1, Yiu discloses a remote display device for remote interaction by a user with a main computer (PC and PC interface unit 401), the device comprising:

- (a) a remote display device (403, 409) for receiving signals directly from the PC; and
- (b) a remote input platform (405 and associated components) for receiving input data from the user and for transmitting said input data directly to the local input port..., wherein the device lacks a CPU and such that only the main computer (PC and unit 401) has the CPU.

However, Yiu fails to specifically disclose compressed signals as recited in the claim.

In a related art, Phan discloses a remote display device (16,18) in communication with a main computer (14). The remote display device (16,18) comprises a video decompressor (28) for converting compressed signals (transmitted from a main source) into decompressed signals for proper display. Signals are compressed and decompressed for the advantage of providing greater transmission bandwidth (see col. 3, lines 49-57).

Art Unit: 2611

Therefore, it would have been obvious to one of ordinary skill in the art to modify Yiu's system to include compress signals, as taught by Phan, for the typical advantage of providing greater transmission bandwidth.

Claims 2 and 5 are met by the combined systems of Yiu and Phan, wherein Yiu discloses radio-wave receivers and transmitters.

Claim 8 is met by the combined systems of Yiu and Phan. Note the expander (decompressor 28 -Phan) and the display (409 -Yiu).

Claim 9 is met by the combined systems of Yiu and Phan. Note CRT displays in both references.

Claim 10 is met by the combined systems of Yiu and Phan, wherein Yiu discloses a TV (409) comprising an audio amplifier and speaker.

Claims 11-12 are met by the combined systems of Yiu and Phan, wherein Yiu discloses keyboard (423A), pointing device (423B) and joystick (423D) connected to ports on input device (405).

Art Unit: 2611

Claim 14 is met by the combined systems of Yiu and Phan. Yiu and Phan disclose a system for remote interaction with a user comprising a main computer (PC and PC interface 401-Yiu) and a remote display (403, 409-Yiu) as described above in claim 1. The main computer generates both television and computer video outputs (col 4, lines 37-45). Computers of this type contain plural video cards and an operating system to process and manipulate them.

Claim 15 is met by the combined systems of Yiu and Phan, wherein Yiu discloses a main computer (PC and PC interface) having local input device(s), local and remote input ports and switching means.

Claims 16-17 are met by the combined systems of Yiu and Phan, wherein Yiu discloses radio-wave receivers and transmitters.

3. Claims 3, 4, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yiu and Phan and further in view of Yen (5,880,721) (of record).

As to claims 3, 4, 6 and 7, the combined systems of Yiu and Phan fail to specify the frequency band the systems use.

In a strikingly similar system Yen teaches that remote computer displays should use a band around 2.4 GHz. In addition this band is considered to be an ISM band SP².

Art Unit: 2611

It would have been obvious to modify the combined systems Yiu and Phan, to include frequency band of 2.4GHz, as taught by Yen, for the typical advantage of conforming to known practices and FCC regulations.

4. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yiu and Phan and further in view of Hare et al. (6,084,638) (of record).

Considering claim 13, Yiu and Phan do not specify the use of a microphone with their systems.

In a strikingly similar system, Hare teaches the use of plural input devices (27a-d) including a microphone for the advantage of facilitating the user with various input devices to make selections (including voice commands). See the entire reference including but not limited to col. 6, line 64 - col. 7, line 20.

It would have been obvious to one of ordinary skill in the art to modify the combined systems of Yiu and Phan, as taught by Hare for the advantage of facilitating the user with a system that is responsive to voice commands.

Specification

5. The disclosure is objected to because of the following informalities: The first seven pages of the specification appear to have error cause by copying. Additional text and page numbers appear at the bottom of these pages.

Appropriate correction is required.

Art Unit: 2611

Response to Arguments

6. Applicant's arguments filed 9/29/2000 have been fully considered but they are not persuasive.

Response to applicant's arguments

(a) Applicant indicated on page 3 of the amendment that a clean copy of the disclosure is attached. However, the clean copy is not of record in the current application. Applicant should submit (or re-submit) a clean copy of the disclosure to the Office.

(b) Applicant argues the Yiu reference, the terms "TV (television), and "remote display" on pages 3-6 of the amendment filed 9/29/2000.

In response, the examiner contends that applicant is arguing that which is not being claimed. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim 1 generally calls for a main computer and a remote display device. The Yiu reference clearly discloses a main computer in the Den and a remote display device in the family room. The television (and associated components) clearly is a remote display device (i.e. the TV is remote with respect to the main computer). As described above the combined systems of Yiu

Art Unit: 2611

and Phan teach all the claimed subject matter of claim 1 and therefore applicant's arguments are not persuasive.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

8. **Any response to this final action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

Art Unit: 2611

(703) 308-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

Or:

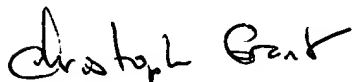
(703) 308-5359 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Grant whose telephone number is (703) 305-4755. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 3900.



Christopher Grant
Primary Examiner
November 10, 2000